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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,725	06/20/2003	Stephane Bedard	14206/67156	5897
26869	7590	10/28/2005	EXAMINER	
DEVINE, MILLIMET & BRANCH, P.A. 111 AMHERST STREET BOX 719 MANCHESTER, NH 03105			WILLSE, DAVID H	
			ART UNIT	PAPER NUMBER
			3738	

DATE MAILED: 10/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/600,725	Applicant(s) BEDARD, STEPHANE	
	Examiner Dave Willse	Art Unit 3738	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) 41-81 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-40 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on June 20, 2003, is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/10/03; 2/26/04</u> | 6) <input type="checkbox"/> Other: _____ |

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This application is in condition for allowance except for the following formal matters:

In numerous instances, such as at page 1, lines 24 and 26, of the official copy of the specification, individual letters of various words are missing from the text. The following are examples of others types of errors:

On page 1, line 19, --of-- should be inserted after “regardless”.

On page 2, line 19, “silicone” is misspelled.

On page 7, line 5, “differentiation” should be replaced by --differentiations--.

On page 8, line 4, “gr_leg” is not understood.

On page 11, line 17, “provide” should be replaced by --provides--.

On page 12, line 14, “a” should be deleted.

On page 14, line 6, “gyroscope” should be replaced by --gyroscopes--.

On page 21, line 20, “who’s” should be replaced by --whose--.

On page 27, line 8, “in the none” should apparently be replaced by --is the nth--.

On page 37, line 3, “waking” should be replaced by --walking--.

On page 39, line 11, “exists” should be replaced by --exits--, and on line 15, “pressures” should be replaced by --pressure--.

On page 44, line 12, “plan” should apparently be replaced by --plane--.

In view of the number of problems, the Applicant should submit a substitute specification in compliance with MPEP § 608.01(q).

As for the claims, the following corrections should be made:

In claim 1, line 9, “a”, first occurrence, should be omitted.

In claim 4, line 1, “where in” should be replaced by --wherein--.

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In claim 18, line 11, "the", first occurrence, should be replaced by --a-- in order to provide a proper antecedent basis; on line 13, "the" should be replaced by --a-- for similar reasons.

In claim 19, line 4, "formatted" should be replaced by --format--.

There are also problems with missing letters in some of the claims, such as in claim 32, lines 2 and 3.

Claims 41-81, nonelected with traverse, should be canceled.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Willse whose telephone number is 571-272-4762. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Corrine McDermott, can be reached on 571-272-4754. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Dave Willse
Primary Examiner
Art Unit 3738